

Approved For Release 2009/06/05 : CIA-RDP05T00644R000501350002-9

WEEK OF 15 FEB

Approved For Release 2009/06/05 : CIA-RDP05T00644R000501350002-9

## CHARTERS

Approved For Release 2009/06/05 : CIA-RDP05T00644R000501350002-9

THE NATION  
12 February 1980

## THE AGENCY'S BILL MOYNIHAN UNLEASHES THE C.I.A.

*The C.I.A. has spied on our own people. The F.B.I. has committed burglaries. . . . This is a time for change in our country. I don't want the people to change. I want the Government to change.*

—Jimmy Carter, Dallas, September 24, 1976

### GEORGE LARDNER Jr.

Television crews and Congressional aides squeezed up against one another in a Senate hearing room last month for a bizarre lesson in semantics. The drive for "reform" of the Central Intelligence Agency and the rest of the nation's intelligence community had taken a new turning, as Senator Daniel Patrick Moynihan proceeded to demonstrate at a crowded press conference.

It was the day after President Carter's State of the Union Message with its alarms over the Persian Gulf and what Carter called "unwarranted restraints" on our intelligence-gathering activities. Moynihan and six colleagues—four Republicans and two Democrats—seized on the occasion to introduce what they christened the Intelligence Reform Act of 1980. Simply put, the proposal amounts to an official secrets act. It would enable the C.I.A. to close the door on most of its misdeeds, past, present or anticipated. It would repeal the law governing covert operations and lift Congressional restraints in effect for the past six years. It would provide for the prosecution of citizens who disclose certain information, even if it is in the public domain.

Moynihan, of course, characterized the measure differently. It was simply a modest beginning, he said—a three-part proposal that "should be seen as but the first blocks in the reconstruction of our intelligence community, not the final edi-

fice." "For too long," Moynihan continued, "we have seen in our own nation a threat to our liberties which, more properly, ought to be seen in places outside our country. Simply stated, we have enemies in the world. It is the K.G.B., not the C.I.A., which threatens democracy."

The speech was vintage Moynihan. But the bill, known as S. 2216, could have been written by the C.I.A.—as indeed much of it was. Moynihan seemed chagrined by a reporter's question to that effect, until an aide informed the Senator that not a few of the provisions had come from C.I.A. headquarters in Langley, Virginia. Whereupon Moynihan harumphed that he saw nothing wrong with that. "We have made no effort to exclude them," he said of the C.I.A.'s draftsmen. Senator Malcolm Wallop, a co-sponsor of the measure, called it "normal procedure" for a bill affecting a Government agency. Neither dwelt on what that did to the word "reform."

With all the war talk bubbling around Washington, however, it is comforting to dream that the C.I.A. can magically pull us back from the brink. The Moynihan bill has an ominous head of steam behind it. Similar legislation is already pending in the House. The Carter Administration seems especially keen on giving the Agency a freer hand for covert actions, in a harking back to "the good old days" of the 1950s and 1960s when it restored the Shah of Iran to his throne, engineered the overthrow of President Jacobo Arbenz Guzmán in Guatemala and finally plunged us into the Bay of Pigs. The new drive has raised speculation about the possibility of covert aid to the Moslem rebels in Afghanistan—as though overt aid were somehow unthinkable. Secrecy is more beguiling. It avoids hard questions, such as whether we really want to go to war—and where—and when.

Although the crisis in Iran and the Soviet invasion of Afghanistan have solidified the new mood, it has been building for some time, beginning, in fact, with the final days of the Senate and House investigations of 1975-76 into the C.I.A.'s and the Federal Bureau of Investigation's excesses in the name of national security. A new rule of law was promised. The only result was the creation of the permanent Senate and House intelligence committees, which were assigned the task of supervising America's spies and counterspies. They quickly fell prey to the Washington rule that the regulators shall lie down with the regulated and became even more secretive. The two committees have produced only one law of any significance: a statute setting up a special court that issues secret warrants permitting electronic surveillance of American citizens in national security cases. The chairman of the Senate Select Committee on Intelligence, Birch Bayh, hailed its passage in 1978 as "a landmark in the development of effective legal safeguards for constitutional rights." He predicted that it would pave the way for enactment of a comprehensive legislative charter to govern the U.S. intelligence community.

CONTINUED

The President who said he wanted "the Government to change" promised a charter, too. He assigned Vice President Mondale as his point man, charged with the task of producing controls that the intelligence agencies could digest. They digested Mondale instead. The Vice President turned out to be so ineffectual—and so inattentive—that he launched the Carter-Mondale re-election effort last year unaware that the charter legislation had yet to be sent to Capitol Hill. This lapse caused some embarrassment when Mondale opened the campaign last September in Florida and listed reform of the intelligence agencies as one of the Administration's accomplishments. He professed surprise on being told by a reporter, after the speech, that the C.I.A. charter had not yet been introduced. He promised the reporter an interview on the subject. Then he went on to California to tell a crowd there that "we have proposed legislation for charters for the F.B.I. and the C.I.A." Mondale subsequently declined to be interviewed about the matter. "He just feels he has had no time to focus on it," a spokesman said.

Then came Iran and Afghanistan. The Administration began pressing hard for one of the C.I.A.'s long-stated objectives: repeal of the Hughes-Ryan amendment governing covert operations. (See editorial, "Leash the C.I.A.," *The Nation*, January 26.) Suddenly, the new vogue word was "revitalization" of the C.I.A.

An irony of the alleged dismantling of the Agency as a result of the 1975-76 investigations is that the two most significant reforms were enacted before the exposés took place. One was the Hughes-Ryan amendment, which Congress tacked onto the 1974 Foreign Assistance Act following a furor over C.I.A. activities in Chile. The amendment provided that covert action—"other than activities intended solely for obtaining necessary intelligence"—could be undertaken only if the President finds each such operation "important to the national security" and reports it "in a timely fashion . . . to the appropriate committee of the Congress." ("Covert action," as the Senate intelligence committee puts it, "is defined as clandestine activity designed to influence foreign governments, events, organizations or persons in support of U.S. foreign policy in such a way that the involvement of the U.S. Government is not apparent. In its attempts directly to influence events, it is distinguishable from clandestine intelligence gathering—often referred to as espionage.")

The C.I.A. has been railing against the rule ever since, denouncing it as an invitation to leaks since it requires reports to eight Congressional committees—the Foreign Affairs, Armed Services, Appropriations and Intelligence committees of both House and Senate. By Moynihan's arithmetic, that means disclosure to "some 180 legislators and almost as many staff" whenever the C.I.A. undertakes a mission outside the realm of intelligence collection.

Actually, the circle of lawmakers privy to such secrets is much more limited. On some of the committees, only the ranking members are informed. On the intelligence committees, which would continue to receive reports of "substantial" undertakings under the Moynihan bill, only the members plus a few top aides are apprised. What seems to bother the C.I.A. most about Hughes-Ryan is the restraint it imposes. According to Senator Walter Huddleston, the Agency has decided against some projects—and modified others—out of fear of disclosure.

With characteristic understatement, Huddleston, a ranking member of the Senate intelligence committee, allows that such restraint may have been "a good thing." He also told a reporter that he knows of no leaks that could definitely be blamed on Hughes-Ryan. The risks of disclosure by Congress have, in any case, always been exaggerated. A 1971 C.I.A. study found that only one of every twenty serious leaks of information come from Capitol Hill. Most of them can be traced to high-level Administration officials, to the Pentagon and to the intelligence and diplomatic communities. In the early 1970s, there were an estimated 400,000 to 500,000 people within the executive branch alone who were cleared for top secret information.

Moynihan's proposed Intelligence Reform Act of 1980 would do much more than restrict the reporting of what used to be called "dirty tricks" to the House and Senate intelligence committees. It would also restore, at least to a limited extent, the doctrine of Presidential "deniability," whereby the Chief Executive could disclaim any knowledge of such undertakings. The President would have to approve only those covert operations involving "substantial resources or risks." The National Security Council would pass on the rest, and these would not have to be reported to any Congressional committee at all. "You can defeat the purpose of reporting by reporting too much," Moynihan declared in justification of this provision. "We are requiring the reporting of events we will really pay attention to."

The other key reform proposed by Moynihan and company involves the Freedom of Information Act (F.O.I.A.), which has had the C.I.A. grumbling ever since it was forced to comply with it under a series of amendments Congress enacted in 1974. Until then, C.I.A. documents could be automatically withheld from public scrutiny simply by invocation of the "national security" exemption, but Congress changed the rule by providing that the reasons for such secrecy could be challenged in court. It also set down deadlines for compliance.

To hear the C.I.A. tell it, the information released has been thoroughly inconsequential. "[T]he information furnished is almost always fragmentary and is often misleading," C.I.A. Deputy Director Frank C. Carlucci argued last August in a letter to the White House Office of Management and Budget. "Therefore the information is more often than not of little use to the recipient." Never mind that the law has produced volume after volume about the assassination of President Kennedy, the C.I.A.'s controversial drug-testing programs and its illegal domestic spying operations. Never mind that the documents released under the F.O.I.A. show far more extensive surveillance than even the Rockefeller Commission was told about.

Carlucci asked for the Carter Administration's support of a measure that would put most C.I.A. files beyond the pale of the F.O.I.A. The "loss to the public from the removal of these files from the F.O.I.A. process," he maintained, "would be minimal." Carlucci has acknowledged that the C.I.A. can protect its legitimate secrets under the Freedom of Information Act as it stands, but the Agency contends that the law is still "inappropriate, unnecessary . . . and harmful" because its sources abroad remain fearful of disclosure.

Despite the Agency's claim that what it releases is "of little use," it complains that anyone, including avowed enemies like former C.I.A. officer Philip Agee, can ask for its documents. In fact, the C.I.A. treats many requests cavalierly—ignoring some, "losing" others, delaying still more—but it insists on assigning four people to Agee's petitions as a P.R. gimmick to dramatize its complaint about the law. Ordinary citizens get no such consideration, but that inconsistency doesn't seem to bother the C.I.A.'s allies in Congress. "Modification of the Freedom of Information Act makes sense," Wallop intoned at the press conference with Moynihan. "Congress never intended that the American taxpayers should pay to provide Philip Agee with four full-time research assistants within the C.I.A., but that is precisely what happened under the law in 1978."

The C.I.A.'s proposal—drafted by Langley and introduced by Moynihan word for word as part of his bill—would permit general freedom of information requests only for what Carlucci called "finished intelligence products." For the rest of its files, only American citizens could apply and they could ask, Carlucci said, only for "what, if any, information we have on them personally."

That may touch off a stiff fight. "All properly classified information is protected under the law now," says the American Civil Liberties Union's legislative representative, Jerry Berman. "None of it has leaked out under F.O.I.A. Vital secrets have been lost to spies, but not under the Freedom of Information Act."

The last of the "modest measures" (Wallop's phrase) in the joint Moynihan-C.I.A. package could prove even more controversial. It was actually drafted by C.I.A. lawyers and staffers of the House Select Committee on Intelligence and introduced in the House last year as a separate measure by all fourteen members of the committee. It would make it a crime to disclose the names of C.I.A. operatives stationed abroad—even if the disclosure came after the agent had returned home.

The stiffest penalties in the bill—ten years in prison and a \$50,000 fine—would be imposed on offenders who have had authorized access to classified information—former C.I.A. employees, for example. Others, such as journalists, would face a year in prison and a \$5,000 fine if the Government could show they intended "to impair or impede the foreign intelligence activities of the United States." The proposal even contains a little fillip designed to overcome a World War II-era court decision that barred an espionage prosecution for sending material already published in U.S. news-

papers and magazines to Germany. Under the new bill, it would still be a crime to "disclose" a name taken from public sources—for instance, an old State Department biographical register—so long as the Government was still "taking affirmative measures to conceal such individual's intelligence relationship to the United States."

The C.I.A. has depicted this proposal as being aimed solely at Agee and an anti-C.I.A. "coterie dedicated to exposing the names of agents," but it would clearly have a much broader impact. (See editorial, "Naming Names," *The Nation*, December 1, 1979.) "There's a lot of intelligent people who think the bill is unconstitutional," said one House lawyer. "I said intelligent people, not intelligence people. Sometimes there's a difference..."

The Carter Administration has already given its blessings to the three-part package as part of the long-promised charter for the C.I.A., but there are few officials who think that so comprehensive a measure stands a chance of enactment. The charter, moreover, has been evolving from a strict code of conduct for the intelligence community into a license for wide-ranging secret activities with few blanket prohibitions. Still to be introduced at this writing, it would, for instance, ban assassinations but impose no penalties on those who ignore the injunction. It would also sanction everything from burglaries to wiretapping of law-abiding Americans abroad, so long as the Government thinks some important information might be acquired.

Huddleston still hopes to get a charter through the Senate, rather than just the Moynihan bill, S. 2216, but he agrees that in its present mood the House will give the C.I.A. only the cold-war rearmament of S. 2216. The charter might get bogged down in election-year rhetoric and besides, the C.I.A. can burgle abroad right now, without having to meet statutory standards for breaking and entering.

As a result, Huddleston isn't even sure he can get a charter reported out of his own Senate intelligence committee. Moynihan, Wallop and two other sponsors of S. 2216, Senators Henry M. Jackson and John H. Chafee, all sit on the same panel. As chairman of the subcommittee on charters and guidelines, Huddleston could bottle up S. 2216 and insist on taking it from there only as part of an overall charter. But he says he doesn't intend to try that gambit. He plans to report out both S. 2216 and a comprehensive charter, and then let the full-committee make up its mind.

Administration insiders say the Carter White House isn't going to push hard for "a full charter" either. Who ever said the C.I.A. did anything really wrong anyway? Jimmy Who? ☐

ARTICLE APPEARED  
ON PAGE 14

THE BOSTON GLOBE  
12 February 1980

# Chartering intelligence agencies

After years of debate, four leaders of the Senate Select Committee on Intelligence have introduced charter legislation for US "intelligence" agencies that, if enacted, would give congressional sanction to the unnecessary and unwarranted intrusion of such agencies into the private lives of Americans.

The direction the bill takes is signaled by the title given to the crucial section of the bill. In earlier drafts, it was referred to as the "rights of Americans" section; now it is more blandly titled "standards for national intelligence activities."

Hidden behind that statutory mask are provisions that would allow intelligence agencies in the United States to engage in mail openings and surreptitious entries without having demonstrated probable cause that the subjects of the search are engaged in a crime. And overseas, American citizens would be subject to such investigations merely if the President determines that they have information vital to the national security of the nation. Americans advising OPEC countries on oil production or journalists who have conducted interviews with foreign officials might be subjected to investigations which, under similar circumstances, would be abhorrent in this country.

These provisions are hardly in accord with the repeated declarations of such people as Vice President Mondale, Sen. Church and many others that Americans should not be subjected to intrusive surveillance unless they are suspected of a crime.

In the years since revelations about the extent of the

surveillance of Americans by American intelligence agencies was first revealed and calls for sweeping reform were heard, a new national mood — one more sympathetic to intelligence operations — has evolved. The events in Iran and Afghanistan have heightened what, in this context, might be called the counter reformation although no one has said how a free-wheeling intelligence operation might have aided American interests in either situation.

The nation would be ill-advised to bow to the emotions of the moment and to leave the intelligence agencies on a looser leash than even current presidential executive orders now permit — as both the Intelligence Committee senators and the President himself apparently want to do.

The President was probably right in his State of the Union call for restrictions on the number of members of Congress who need be informed about covert activities. Ironically, on this point the four senators who introduced the charter legislation the other day may not have gone far enough. They would require all members of the House and Senate intelligence committees to be briefed on all covert activities and eight members to be forewarned even in a national emergency.

In seeking to grant the CIA a virtual blanket exemption from the Freedom of Information Act and in proposing rather loose standards for the use of investigative techniques that are inherently troubling, the Senate proposal seems better designed to protect the prerogatives of Congress than the rights of Americans.

ARTICLE APPEARED  
ON PAGE 1

LOS ANGELES TIMES  
9 February 1980

# Senate Unit Asks Easing of Curbs on Spy Agencies

By ROBERT C. TOTH  
Times Staff Writer

WASHINGTON—Spurred by the Persian Gulf crises, the Senate Intelligence Committee on Friday proposed a comprehensive charter that would spell out in law do's and don'ts for U.S. intelligence agencies that are now specified only in presidential directives.

The proposal, introduced in the Senate with bipartisan support and with President Carter's "virtually complete agreement," comes after five years of deliberations over Central Intelligence Agency abuses—but only a few months after turmoil in Iran and Afghanistan led to demands that the CIA be "unleashed."

Civil libertarian groups immediately denounced the measure as an invitation to new intelligence abuses. Some intelligence officials contended, on the other hand, that the charter was too restrictive in some respects.

Carter is understood to have complained to senators during the final attempt to reach agreement on the legislation last week that one of its provisions would have adversely affected efforts to bring home the six Americans who had sought refuge in the Canadian Embassy in Tehran.

The President was quoted by informed sources as saying that "I would not have been able to do half the things I did" in that situation, if the provision had been in effect. There was no further elaboration.

The provision in question would re-

quire the President to give "prior notification" of any covert action by U.S. intelligence agencies to the Senate and House Intelligence committees. The Administration believes that this is almost equivalent to "prior approval," which borders on a veto power for the committees, according to an intelligence official.

Instead, the Administration would prefer to keep the present "timely notification" of secret activities ordered by the President. The requirement usually has meant notification within 48 hours of the President signing a "finding" that authorizes such activity.

Sen. Walter D. Huddleston (D-Ky.), chairman of the Senate's intelligence subcommittee on legislation and chief architect of the proposed charter, said the dispute over "prior" vs. "timely" notification was the major exception to Carter's general endorsement of the bill.

But Huddleston said the committee believes covert operations are so risky that an Administration would benefit from the advice and counsel of the congressional committees before such operations are begun.

Moreover, he told reporters, "there is a strong feeling among senators that if we are going to try to control intelligence abuses by congressional oversight, there would be a gaping hole left unless we get 'prior notification.'"

Other key provisions of the charter would:

- Reduce from eight to two the number of congressional committees to which covert activities must be reported. More than 150 congressmen and their staffs now theoretically have access to information which, if leaked deliberately or by accident, could jeopardize the lives of U.S. agents or the national security, the Carter Administration has said.

- Make available to the two intelligence committees "any information" in intelligence files. The Administration objects to this sweeping provision as a violation of executive privilege—the Administration's right to keep certain information confidential—as well as a risk to sensitive intelligence data.

- Exempt the CIA from responding to Freedom of Information Act requests except those for data about the individual applying for it. Abuses, including requests from foreign governments and their intelligence agencies, require this change, Huddleston said.

- Ban the use by intelligence agents of the covers of journalist, clergyman or academic, but not employment of such bona fide professionals as agents under contract and under strict guidelines. At present, the CIA director must personally approve any exception to the rule against using such professionals.

- Permit the use of mail openings and wiretaps to collect intelligence information that innocent Americans living abroad may possess unwittingly. But this could be done only if the President personally found it "essential" to the national interest and if a special court of judges approved the techniques in advance.

The charter is expected to be approved by the Senate this year but the House is expected to pass a narrower measure.



PROVIDENCE BULLETIN (R. I.)

25 January 1980

# Chafee, other senators call for changes to facilitate covert operations by CIA

By STEPHEN M. BARON

Journal-Bulletin Washington Bureau

WASHINGTON — Sen. John H. Chafee joined Sen. Daniel P. Moynihan, D-NY, and five other senators yesterday in calling for legislative changes that would limit outside access to CIA files, slash the number of congressional panels entitled to briefings on the agency's covert activities, and impose criminal penalties for blowing the cover of intelligence agents working abroad.

The senators' news conference, announcing the introduction of the legislation came less than a day after President Carter told Congress the agency must be freed from "unwarranted restraints" and that controls on sensitive intelligence information must be tightened.

White House press secretary Jody Powell said the administration hoped to send its proposals to Congress within a few weeks. The administration has been working with Congress for three years on a proposed charter spelling out what the agency can and can't do, and Powell indicated the two branches of government were nearing agreement. But the senators said something had to be done immediately to bolster the agency.

In a statement released at the news conference, Moynihan, a member of the Senate Intelligence Committee, said, "For too long, we have seen in our own nation a threat to our liberties which, more properly, ought to be seen in places outside our country. Simply stated, we have enemies in the world.

"It is the KGB, not the CIA, which threatens democracy."

CHAFEE, also a member of the Intelligence Committee, contended that Congress had overreacted to past abuses by the agency and that it was now necessary to correct this imbalance.

He and others said some laws were making the agency less than willing to indulge in covert actions and that the legislation introduced yesterday would help correct this.

Chafee cited the Hughes-Ryan amendment to the Foreign Assistance Act as an example of a law that needed to be changed. That amendment passed in

1974, limits covert actions in foreign countries to those deemed important by the President. The amendment further requires the President to brief eight committees of Congress on such activities "in a timely fashion."

The senators indicated the amendment discourages the agency from taking on some sensitive tasks, possibly in conjunction with foreign governments, for fear that word might get out with so many senators and congressmen privy to the secret plans.

The senators proposed reducing from eight to two the number of congressional committees which must be briefed on covert plans.

The Senate and House Intelligence Committees would be the only panels entitled to the reports.

Chafee told newsmen the dramatic reduction in reporting requirements would not allow the agency to run wild. "The Senate Intelligence Committee is hardly a rubber-stamp for the CIA," he said.

(The Senate Intelligence Committee also intends to sponsor a major cutback to the Freedom of Information Act that would prohibit public access to countless CIA documents, according to Sen. Walter Huddleston, D-Ky. Huddleston, chairman of the Senate Intelligence subcommittee on charters and guidelines, said the proposal would restrict the right of American citizens seeking information about themselves to obtain records of CIA operations, the Washington Post reported.)

(Much of the information the CIA has had to make public in recent years — from its files on the John F. Kennedy assassination and the agency's drug-experimentation programs to its domestic spying operations — could be denied automatically under this new rule, the Post said.)

The senators said Americans would still have the right to obtain unclassified material about CIA operations when seeking information about themselves. But a whole realm of unclassified material would be placed out of bounds for at least some organizations.

Chafee said it is absurd that the CIA must conduct searches of its files, at the taxpayers' expense, for organizations such as the KGB, the Soviet spy agency.



ARTICLE APPEARING  
ON PAGE E-3NEW YORK TIMES  
10 FEBRUARY 1980

# C.I.A. Seems Likely to Get A New Hunting License



By CHARLES MOHR

WASHINGTON — Four years ago Congressional committees seemed eager to leash, muzzle and even spank the Central Intelligence Agency. Today — to take slight liberty with Shakespeare's words — they cry havoc and say, let slip the dogs of covert war.

There is widespread agreement in Washington that, with 50 Americans held hostage in Iran and Soviet tanks parked in the streets of Kabul, Congress will act this year to remove what President Carter called "unwarranted restraints" on United States intelligence agencies.

Proponents of civil liberties, liberals and those either flatly opposed to clandestine operations or opposed to their indiscriminate use say they see no hope of stopping such legislation in what Jerry J. Berman, legislative counsel of the American Civil Liberties Union, calls "the present atmosphere." But they deny that any unwarranted statutory restraints exist.

Although some form of legislation is thought virtually certain to pass, the parliamentary situation is complex. When President Carter took office in early 1977, investigations, press revelations and confessions by disaffected intelligence agents had revealed a pattern of at least occasionally imprudent, ineffective and illegal or morally indefensible operations. They ranged from assassination plots to experiments with mind-altering drugs to clandestine wars to conspiracies to overthrow the democratically-elected government in Chile.

Mr. Carter proposed a "charter" for the intelligence community that would establish a codified set of restraints and, at the same time, set forth the legitimate mission of the intelligence agencies. However, negotiations stretching from 1977 until last week failed to produce complete agreement between the Administration and the Senate Select Committee on Intelligence on the terms of the charter.

Meantime, the impulse toward "intelligence agency reform" steadily withered, even before the Iran and Afghanistan crises produced a revival of cold war emotions.

As a result, by this year "restraints" and "reform" had virtually disappeared from contemplated charter legislation. Senator Walter D. Huddleston, Democrat of Kentucky and a firm and persistent advocate of what he calls "comprehensive" charter legislation, recently conceded that virtually all that is left is a prohibition on assassination, except in time of war.

By last week only one major issue appeared to divide the White House and Senator Huddleston, who is chairman of the subcommittee on charters and guidelines of the Intelligence Committee. This was the number and nature of the cases in which the

CONTINUED

President should be permitted exemptions from a generalized requirement to give the Senate and House Intelligence Committees prior notification of covert intelligence operations.

Senator Huddleston had already agreed to exemptions in cases involving a national emergency — and in which speedy action is needed. But according to him, the President has continued to press for freedom to act without prior notification in other circumstances.

### A New Charter Proposal

His patience apparently exhausted, Senator Huddleston late last week abandoned attempts to reach full agreement with the Administration and introduced his own version of the intelligence charter. The White House could be expected to press during committee consideration for its version of "prior" notification of covert acts.

The dispute, however, seems likely to be academic because of strong Congressional opposition to any form of charter and support for legislation that would be even more permissive and provide more freedom of action for the intelligence community.

A bill introduced by Senators Daniel Patrick Moynihan, Democrat of New York, Malcolm Wallop, Republican of Wyoming, and five others, is given a better chance to pass — and to supersede — the Huddleston charter. Moreover, the House of Representatives has shown little interest in charter legislation.

The Moynihan bill would largely exempt the C.I.A. from the Freedom of Information Act and make it a crime to reveal the identity of intelligence agents or sources. Unlike the charter, which contains similar provisions, it would extend the criminal sanction to

private persons and the press if they acted with intent to impede intelligence activities.

The Moynihan bill and the charter would both repeal the so-called Hughes-Ryan amendment of 1974 that required the Administration to give "timely," but not prior, notice of covert operations to the Senate Foreign Relations Committee and the House Foreign Affairs Committee and other "appropriate" committees. (By last year a total of seven committees were receiving this information after the House armed services panel voluntarily withdrew.) The new legislation would require reports only to the intelligence committees of both houses. However, unlike Senator Huddleston's charter, the Moynihan bill makes no attempt to impose "prior notification" requirements on the President and C.I.A.

Figures such as Senators Moynihan and Wallop argue that the agency has sometimes been inhibited from undertaking covert operations by the reporting requirements of Hughes-Ryan. Clearly, the expectation is that the new legislation will encourage more "special operations."

The charter legislation is relatively permissive in allowing burglary, mail opening and wiretapping, and the American Civil Liberties Union calls it a "grave threat" to civil liberties. The Moynihan bill, which is much more limited in scope, sets no statutory standards at all in such fields and would thus leave discipline of the intelligence community entirely to Presidential orders and internal rules.

What critics feel is missing are standards. Morton Halperin, a former national security council official, argues that the number of committees receiving reports is a minor matter, in contrast to the question of when a covert operation is justified and what sort of operations should never be allowed. This was a central question four years ago when the intelligence community's reputation was in tatters. It remains unsettled in the rush to "unleash."

ARTICLE APPEARED  
ON PAGE A7THE WASHINGTON POST  
9 February 1980

# Bill Introduced to Bolster U.S. Intelligence Agencies

Associated Press

A proposed charter governing U.S. spy agencies, introduced yesterday in the Senate, would allow domestic spying on Americans and let the CIA keep its secrets more secret.

Only a handful of congressmen would act as the public's monitor of spying activities.

The bill would free the CIA of some restraints but would ensure that "no more could any intelligence agency conceivably be out of control," said a prime sponsor, Sen. Walter D. Huddleston (D-Ky.).

The charter legislation demanded by President Carter in his State of the Union message last month was first proposed as a way to curb CIA abuses which came to light in the mid-1970s.

However, the bill introduced Friday, at a time of crises in Iran and Afghanistan, is heavy with provisions that Carter and many members of Congress say are needed to help the CIA do a better job of predicting trouble-spots.

Carter praised Huddleston and his Senate Intelligence subcommittee, saying tough negotiations between the panel and the White House had led to "virtually complete agreement" on the proposed charter.

Huddleston's subcommittee decided to press for the bill despite disagreement on several issues. These include whether to require the CIA to tell the House and Senate Intelligence committees everything they ask, to tell them in advance before certain undercover operations, and whether to order criminal penalties against private citizens who reveal a secret agent's name which they learn without access to classified information.

Major provisions in the bill, which would affect the CIA, the Federal Bureau of Investigation, the Defense Intelligence Agency and the National Security Agency, would:

- Allow intelligence agents to carry out court-authorized eavesdropping, burglarizing or opening mail of Americans in the United States if they were known spies. Any American overseas could be spied on if the president determined it was "essential to

the national security" and if he obtained a special warrant from a secret court.

- Prohibit paid use of American-based reporters, clergymen or educators as "covers" for foreign intelligence, but would not bar "voluntary contact or voluntary exchange of information" with U.S. spies.

- Make most CIA files exempt from the Freedom of Information Act without regard to sensitivity. The act is intended to curb official secrecy and expand public access to government files.

- Ban assassinations but leave open a wide range of intelligence operations in foreign nations.

- Order criminal penalties for anyone who uses his formal access to

---

*Tough negotiations  
led to "virtually complete agreement" on  
the charter.*

---

classified information to publicly identify a U.S. secret agent.

- Reduce spy agency notification requirements from eight congressional committees to the two Intelligence committees, or only the top officials of those panels in time of emergency.

That notification requirement, though greatly eased from present rules, is still a sticking point between the senators and the Carter administration.

(The American Civil Liberties Union quickly denounced the Senate proposal. "Far from guaranteeing that abuses will not recur as President Carter promised in his State of the Union message, this bill would invite their repetition," said ACLU representatives John Shattuck and Ira Glasser. "This is not intelligence reform.")

ARTICLE APPEARED  
ON PAGE A-1NEW YORK TIMES  
9 FEBRUARY 1980

## Charter Measure On Spying Curbs Covert Programs

By CHARLES MOHR  
Special to The New York Times

WASHINGTON, Feb. 8 — Four leaders of the Senate Select Committee on Intelligence today introduced "charter" legislation for United States intelligence agencies that would require the President to give prior notice of covert intelligence operations to at least eight members of Congress, even in a national emergency.

President Carter has not agreed to this provision, and reportedly seeks greater freedom of action. But, in a letter to the chairman of the committee, Senator Birch Bayh, Democrat of Indiana, he urged the committee "to move ahead on this important legislative endeavor."

The President said he was "confident that we can resolve the remaining issues so as to protect the capacity of our Government to act" while insuring that intelligence agencies operate within the "bounds of law and propriety."

The legislation would also try to insure top-level "accountability" for special operations abroad by requiring that each covert activity that "involves substantial resources, risks or consequences" be reviewed by a committee that includes the Secretaries of State and Defense and the Attorney General before the President makes a formal finding that the operation is "important" to national security.

These procedures are followed now. But making them law will better guaran-

tee accountability, Senate sources said.

However, there is considerable doubt in Congress that such charter legislation can pass. Much narrower legislation, designed to remove legal restraints and obligations that annoy the Central Intelligence Agency but that would not require prior notification of covert acts or stricter accountability, is given a better chance of passage this year.

Today's 123-page bill has many noncontroversial provisions that simply set forth the mission and organization of the intelligence agencies. Although it is the most liberal measure and the one with the most restrictions on C.I.A. activity now before Congress, it contains few of the changes that seemed likely only four years ago, when the intelligence agency was under heavy fire for alleged abuses.

Asserting that the charter sets unacceptably low restraints on burglary, wire tapping, mail opening and surveillance of people, including some not suspected of any criminal activity, the American Civil Liberties Union called the bill "a threat to civil liberties."

The charter legislation was introduced by Senators Walter D. Huddleston, Democrat of Kentucky and Charles McC.

Mathias Jr., Republican of Maryland, the senior members of the subcommittee on charters and guidelines. Joining them were Senator Barry M. Goldwater of Arizona, the ranking Republican on the committee, and Senator Bayh.

Senator Huddleston said that subcommittee hearings on this bill and on more permissive intelligence agency legislation would begin on Feb. 21.

He also said the most "fundamental," and so far unresolved, difference with the White House was that of prior notification of covert activities. The new legislation would repeal a 1974 law that led to eight committees being informed at one time, and seven now. Under the charter only the intelligence committees of both houses would be informed.

However, the Huddleston bill requires some form of prior notification in all cases. In "extraordinary circumstances," it would require that for the first 48 hours only the chairmen and ranking minority members of the intelligence committees, the Speaker and minority leader of the House and the majority and minority leaders of the Senate be told. Later all the members of the intelligence committees would be informed.

The Administration has opposed rigid requirements for prior notification.

ARTICLE APPEARED  
ON PAGE A-1

WASHINGTON STAR  
9 FEBRUARY 1980

## Senators Unveil Charter for U.S. Intelligence

By Vernon A. Guidry Jr.  
Washington Star Staff Writer

The Senate Intelligence Committee yesterday made public its proposed National Intelligence Act of 1980 and revealed that agreement hasn't been reached with the White House on congressional access to all intelligence information.

As produced by the committee, the measure would require prior notice to House and Senate intelligence committees of covert activities and would require access to all intelligence information. The administration has balked on these issues.

Other provisions of the bill would:

- Permit CIA spying and burglaries directed at U.S. citizens abroad who are not suspected of a crime. Such action could be taken in pursuit of counterintelligence and counterterrorism information, provided an order is obtained from a special intelligence court.
- Permit FBI mail opening and burglaries aimed at persons in the United States if the target is suspected of a crime, and if the special intelligence court approves.
- Virtually exempt the CIA from the requirements to disclose information under the Freedom of Information Act.
- Reduce from eight to two the number of committees to receive reports on clandestine activities.

- Permit paying of journalists, academics and the clergy for spying, but prohibit giving a CIA agent a cover identity in these professions.

- Ban assassination and restrict concealed sponsorship of contracts with U.S. organizations.

The new spying charter, two years in the making, drew criticism even before it was officially released. Officials of the American Civil Liberties Union here said the bill would invite abuses rather than prevent them.

"This is not intelligence reform," said the ACLU. "Instead it reflects the demands of the intelligence agencies for broad and unwarranted power to conduct surveillance of law-abiding Americans and to keep their activities secret so as to avoid the public debate necessary in a democratic society."

Sen. Walter D. Huddleston, D-Ky.,

chairman of the subcommittee that drafted the bill, said members began "with purist attitudes" on spying on Americans not suspected of crimes, but became convinced the authority was needed in the case of Americans abroad.

Huddleston said most of the bill represented a consensus between the White House and the committee and added he hoped the issues of access and prior notification could still be worked out.

At the same time, Sen. Charles McC. Mathias, R-Md., said the access question was a serious bone of contention between the two branches of government.

In a letter to the committee dated yesterday, President Carter ignored the serious differences and said he was "especially pleased that we have reached virtually complete agreement on the organization of the intelligence community . . ."

Approved For Release 2009/06/05 : CIA-RDP05T00644R000501350002-9

"UNCHAINING THE CIA"

Approved For Release 2009/06/05 : CIA-RDP05T00644R000501350002-9

ALBUQUERQUE JOURNAL (N.M.)  
29 January 1980

# Editorials

## No Call to Overreact

In the face of mounting and critical international tensions, the U.S. Central Intelligence Agency must be given a longer leash if it is to use fire to fight the kind of fire that has become a sophisticated tool in modern relations among nations.

Watergate era disclosures of widespread abuses by the CIA led to overreaction in Congress and led to severe restrictions on the agency's activities in the form of the Hughes-Ryan disclosure amendment — restrictions that have caused the agency to function timidly, over cautiously and, too often, ineffectively.

But overreaction to post-Watergate overreaction by Congress and an outraged American public is not the answer. The answer lies in a new CIA charter reflecting the moral inhibitions shared by all Americans and clearly setting forth the high purposes and the permissible tools and rules of procedure for a sophisticated intelligence-gathering agency. President Carter alluded to such a charter in his State of the Union address, and members of both houses of Congress have been giving serious thought to such a charter for some time.

But Sen. Pete V. Domenici, R-N.M., and four other senators, fearing that formulation of a charter could lead to a dangerous delay in the revitalization of the CIA, are pushing a three-part reform plan to breathe new life into the agency.

Parts of the plan could be incorporated advantageously in a permanent charter: specifically those parts which would reduce from eight to two the number of congressional committees that must be informed of the CIA's covert activities and sharply reduce the CIA's responsibilities under the Freedom of Information Act.

But the criminal penalty clause, making it a crime to publish the identities of CIA agents, constitutes — in the absence of explicit exceptions — a threat to the free flow of vital governmental information to the American people. In its present form, the clause imposes a greater imminent danger to the national interest than the danger it is intended to resolve.

The Domenici-supported amendment, with more restrictive wording of the criminal penalty clause, would be justified only if it could be adopted promptly and with a mandatory expiration date.

With a maximum life of 90 to 180 days it would restore the teeth and jaws so badly needed by the CIA in an era of rising tensions and crisis only until such time as a broad, unequivocal CIA charter can be formulated, adopted and implemented.



ARTICLE APPEARED  
ON PAGE 8

KANSAS CITY TIMES  
2 FEBRUARY 1980

## Unchaining U.S. Spy Operations

Surely there is some way for the United States to mount an effective intelligence operation in the interests of national survival without turning a pack of mad-dog despoilers loose upon the world. There can be no place in the Central Intelligence Agency for operatives who might go off on their own to assassinate, overthrow or otherwise provoke cataclysm. At the same time, the United States must have the means to gather intelligence and pursue covert actions of reasonable scope — as does every other respectable political power.

These are never easy matters in a democracy. Countries with representative forms of government where individual freedom is prized are sitting ducks for the agents of totalitarian foes. There is no way the United States or the British can match the KGB, whose operation can pick up more information legally in the British Museum or the Library of Congress or Linda Hall Library than a battalion of spies could get in Moscow with X-ray eyes.

Spying and covert operations must remain under the executive, essentially, and what is done or not done will be determined by the quality of the occupant of the White House. If the president cries out for someone to rid him of a meddlesome priest, there will be a murder in some cathedral. The trick — and it almost always comes down to this — is to not elect the kind of president who will twist necessary executive powers for personal political gain or petty revenge.

Congress should be able to enact laws that will protect agents from the crazy malice of a Philip Agee, the ex-CIA man who has published the names of personnel. The country cannot let its people be vulnerable in a suicidal setting of that sort. The First Amendment is not intended to make it easy to murder someone.

But in the end, abuses by the CIA or for that matter, the FBI, will be contained best by the kind of people who do that work and the absolute control of the executive branch over them — plus the quality of the leader at the top of the executive branch. A president without character will abuse the presidential trust. An honorable president who is alert and who can be honest with himself will not.

TULSA WORLD (OKLA )  
27 January 1980

## Espionage And Reality

PRESIDENT Carter says he will work to remove excessive restraints from U.S. intelligence operations.

This was one of the most important pledges made during last week's State of the Union speech. It was a notable turn-about for the President. And it came just in time.

Richard Helms, former CIA Director, explained recently the naivete — and, to a lesser degree, the hypocrisy — in recent American attitudes toward undercover intelligence operations.

"Americans want a strong intelligence organization," Helms told the Washington Star recently. "They feel their Government should know what's going on in the world.

"On the other hand, they don't much like hearing about dirty tricks or the connivery that is

involved in espionage. They'd be delighted to have the operation run and not hear too much about it."

Until recently, these words might have applied to President Carter. But events in Iran and Afganistan — most of which caught U.S. intelligence analysts by surprise — have been enlightening.

As Mr. Helms explained earlier in the Star interview: "This business of being righteous and upstanding I espouse and it would be fine if the other fellows were equally righteous and upstanding. But if he's going to take advantage of you and you still don't want to demean yourself to meet him on his own terms, then you have to take the consequences."

President Carter apparently has reached a similar conclusion.

NEW ORLEANS TIMES-PICAYUNE  
6 February 1980

## Recreating the CIA

Setting aside as manifestly too extraordinary to require head-shaking comment the spectacle of a nation opening to detailed public debate the nature and deeds — more precisely, the nature of the deeds — of its intelligence service, let us try to get a handle on the latest twists in reform of the Central Intelligence Agency. At least this time the reformers are heading in the right direction with a new perception of reality.

Several years ago the nation was shaken by revelations of some CIA operations, particularly some targeted on unwitting and even innocent Americans in America, that smacked of a Gestapo or KGB mentality. They were rightly condemned and measures were rightly sought to prevent recurrences. But the pendulum swung so far in the opposite direction that the CIA became suspect in everything and was, directly or indirectly, robbed of many of the means to be effective.

Then came the crises in Iran, Cuba (over the Soviet combat brigade) and Afghanistan to remind that one of our first lines of defense had to be the largely invisible one of intelligence gatherers and, where necessary, possible and likely to be successful, covert operatives.

There are now new proposals to increase both the efficiency and the secrecy of the CIA, but it should be noted that the three crises do not fully support charges of intelligence failure. The CIA had apparently been told not to poke around too much in Iran and had been given to understand that Cuban affairs were of low priority. The CIA apparently made timely

reports of Soviet troop movements and buildups in Afghanistan's direction, but the Carter administration chose not to make the obvious interpretation of the data.

Several of the reforms, to be submitted soon to Congress, look good. The president would no longer be required to give official approval to every covert operation, and the number of congressional committees to be kept informed of activities would drop from eight back to two. There would also be limits on what a citizen might demand from the CIA in the way of documents and files under the Freedom of Information Act.

More controversial is the idea of a CIA charter to declare dos and don'ts that try to draw a line between American moral values and the imperatives of national self-preservation. Another puzzle is how to prohibit deliberately mischievous revelation of the names of CIA officers.

The goal should be to recreate an intelligence service that is effectively unobtrusive, provides the necessary information to policymakers and commanders and is no nastier than it has to be — this last recognizing that fire is one legitimate way of fighting fire. But the central requirement of a spy organization — secrecy — means that the most effective control over it derives from the character of its leadership and corps more than from the words of laws and charters. The way to assure that the CIA operates in the best tradition of the American character is to see that it is made up of people who embody that character.

ARTICLE APPEARED  
ON PAGE A22THE WASHINGTON POST  
11 February 1980

## *The Post-Afghanistan CIA*

CONGRESS IS about to write its first comprehensive legislation on the CIA and the question is: Is the international situation now so parlous that almost anything goes in the interest of "rebuilding" this critical agency? Can the country afford (it is asked) either the continued exposure of "abuses," or the chilling and leaky congressional scrutiny of secret operations, or an excessively fastidious concern for individual civil liberties at the expense of national security?

These are the questions that arise when you consider the legislation at hand—a bill, introduced by Sen. Daniel P. Moynihan, that would relieve the CIA of certain inhibitions that were imposed on it piecemeal in recent years; a Senate Intelligence Committee bill providing a first charter, or legislative mandate, for the CIA; and the administration's hedged approach lying somewhat between the approaches embodied in those two bills.

The first thing to be said is that the age of CIA exposés seems to be over. Whether or not many past embarrassments remain to be revealed, potential new ones are not being generated at the old rate. There also is no get-the-CIA spirit in the air. On the contrary—this already is the age of CIA rebuilding.

Again, none of the various legislative approaches touches what the CIA is mostly about: strong analysis. Our impression is that the analysis of troubled scenes that the agency has produced for presidents in recent years has not been good enough. Nothing in the proposed legislation would make it better. Only the president can do that—by the way he runs the agency. Moreover, nothing would affect the collection or use of what is and will unquestionably remain the main kind of intelligence the American intelligence community collects: information on Soviet strategic and military developments gathered by satellites and various electronic means.

That brings us to the relatively modest domain touched by the new bills. Most of what is in them comes down to two considerations:

1) Who needs to know what, and when? The Senate Intelligence Committee is demanding "full access" to all CIA files, including advance word on covert operations, on grounds that responsible oversight can be ensured in no other way. Theoretically, we agree. The question for the committee, however, is how it can guarantee that this sort of oversight will not compro-

mise or chill executive deliberations and operations. It is all very well to argue that the more you need to conduct covert operations, then the more useful it is to have legislators checking the plans and sharing the responsibility. But is the Congress secure? Part of the answer lies in the committee's readiness to reduce from eight to two, as the administration wants, the number of committees that have to be told of secret operations. Another part is to relieve the CIA of having to make operational material public under the Freedom of Information Act. Yet another part is, with special care, to enact penalties on those who divulge the names of agents. But it still remains for the Senate and House committees, which would share the oversight, to make the case for their own competence and discretion. Are their security procedures really adequate? Would a senator whose advice to forgo a certain operation had been rejected hold his tongue?

2) Would the legislating of detailed civil-liberties protections crimp operations unacceptably? There should be a limit to the agonizing. It is instructive to recall that just a few years ago the topical question was whether CIA operations themselves had not crimped civil liberties unacceptably. Perhaps the best idea is not to get too specific on the protection of liberties in areas where there is serious dispute. Would-be protectors might consider that, in the present climate, an attempt to get specific could work the other way around and result in removal, not reinforcement, of the right at stake. If protections are to be kept general, however, that is all the more reason for the oversight committees to have access to all the information they would need in order to know whether the line was being crossed.

It is time to stop thinking of a CIA charter as an attack on the value of intelligence or as an instrument of congressional revenge—or, for that matter, as a solution to the real problem of weak analysis. There should be no quibbling over the desirability of running intelligence as other official activities are run: on the basis of authority granted by law, and with an accepted procedure for reviewing how that authority is exercised. That the secret nature of much intelligence work requires a special dispensation goes without saying. But the executive branch and Congress have already worked out much of that dispensation. They should finish the job.

ARTICLE APPEARED  
ON PAGE 49THE WASHINGTON STAR  
11 February 1980Carl T. Rowan:

# Go easy on 'unleashing' the CIA

As President Carter pushes his campaign to punish the Soviet Union for its invasion of Afghanistan, cries grow louder that he is "overreacting," "creating a war psychosis," stirring up "anti-Russian hysteria" greater than that of the worst days of the Cold War.

The result, some Americans say, is that we are rushing prematurely into a possibly tragic relationship with another communist country, China; that we are crawling into bed with one more unpopular dictator, Mohammed Zia ul-Haq of Pakistan, risking the same "morning after" miseries we suffered in Vietnam and elsewhere; or that, at worst, Carter could become so enchanted with the domestic political results of his get-tough-with-Russia stance that he overreaches and drags the U.S. into a Persian Gulf war.

Those fears have merit, but I think the president is aware of the foreign dangers, or else he would not have disavowed so quickly his special envoy Clark Clifford's talk of automatic "war" if the Soviets try to move closer toward the Persian Gulf.

The greater danger, less talked about, is that the Soviets are goading us into doing some rash and stupid things at home.

Suddenly, it has become the litany of patriotism to cry that the CIA has to be "unleashed" from the bonds of congressional oversight, from Freedom of Information requests and from most of the other restraints we recently imposed upon an agency that had run amok.

I do not share the view of the American Civil Liberties Union which said recently, "We oppose covert operations as inconsistent with the workings of democratic society."

I learned during 4½ years as a government official that this is neither a democratic world nor a nice,

clean, decent world. Time will show that we suffered a potentially tragic loss in Iran partly because our agents were playing softball, at the behest of the shah, while Soviet agents were playing ruthless hardball.

I support a strong, effective CIA which has the latitude to engage in such covert and other actions as the president and a few key members of Congress may determine to be essential to the security of this nation.

But I am not going to let a Soviet incursion into Afghanistan make me forget that a lavishly financed, uncontrolled, unaccountable CIA would itself be a grave threat to the society we want to preserve.

A 1976 report by the Senate Select Intelligence Committee revealed that between 1961 and 1975 the CIA conducted some 900 major covert action projects in foreign countries.

These included support for anti-communist labor and student movements in Europe, funneling money into political parties and newspapers that were pro-U.S., using money and arms to prop up shaky pro-Western regimes, plots to assassinate heads of government deemed pro-communist or anti-Western, efforts to "destabilize" the government of

Chile so as to overthrow President Salvador Allende.

CIA exuberance reached the point where it spied on thousands of U.S. citizens who actively opposed the Vietnam War, reading their mail, wiretapping them, and more.

Do we really want to risk a renewal of such abuses?

That is what we will get if we surrender unthinkingly to frustrations created by Soviet actions in Afghanistan, Cuba, Africa or elsewhere. We must not swallow whole the myth that we can conquer the world anew by unleashing the CIA.

Many of the 900 covert actions cited above were fail-

ures, and some were unmitigated disasters. The CIA never was as omnipotent as its old foes or current advocates pretended it to be.

The Soviets did not steal a march on us in Angola because we had defanged our CIA; the Russians seized an advantage because the U.S. for a long time had no meaningful African policy, and finally wound up backing the wrong side in Angola.

I cannot imagine a super-strong CIA of "the good old days" thwarting a Soviet invasion of Afghanistan any more than the old CIA could halt Russia's trampling of the Hungarian uprising or the Soviet invasion of Czechoslovakia.

Perhaps the pendulum *did* swing too far in the direction of controls on the CIA. Perhaps only two congressional committees rather than *eight* should be kept abreast of covert operations.

But there ought not be any wholesale repeal of the limits placed on CIA activities — certainly not without more of a national debate than we have had so far.

Nothing has happened to justify a blind return to the secrecy and unaccountability that produced the abuses that almost destroyed both the CIA and the FBI.

## Loosening Reins on the CIA

*A new charter should make intelligence gathering easier*

In the wake of revelations that the Central Intelligence Agency had spied on Americans at home and tried to assassinate foreign leaders abroad, Congress and the President in the mid-1970s reined in U.S. spy agencies—altogether too tightly. Now, many Senators and Congressmen are determined to loosen the hold. But how much? Last week a Senate intelligence subcommittee answered that question by proposing a new charter that would free the CIA and the nation's four other major intelligence agencies from several onerous restrictions.

The proposed National Intelligence Act of 1980 has Jimmy Carter's strong backing. The charter's most important provision would allow the CIA to conduct covert operations if the President, after consulting with the National Security Council, found them necessary to protect "important" U.S. interests overseas. Such operations have never been formally banned, but a 1974 law had the effect of requiring the President to notify eight congressional committees about them in "a timely fashion." The risks of a leak were so great that covert operations were severely limited. The new bill would require prior notification of only the Senate and House Intelligence Committees, a manageable demand.

There is still some dispute, however, over just when the committees must be told. Carter argues that the President should be allowed to withhold information about some especially delicate operations if prior disclosure would endanger lives or embarrass friendly governments. Some Senators consider that too wide a loophole.

The bill would allow the CIA to tap the phones and search the premises of U.S. citizens or corporations in foreign countries, but only if the agency first obtained warrants from a special court. The CIA would be permitted to use journalists, clergymen or academics as part-time agents or informers overseas, a practice that is now forbidden by the agency's own rules. Only U.S. citizens or resident aliens could look at the CIA's nonsensitive files on them; at present, under the Freedom of Information Act, the CIA is required to show some files to almost any-

one who asks. The new charter would very specifically continue the ban on assassination.

While many provisions of the charter are likely to win broad congressional acceptance, some will stir hot debate. Liberals are expected to fight against the limited permission to spy on Americans overseas. Other Senators and Congressmen will surely push for fewer restrictions on the intelligence agencies. Democratic Senator Pat Moynihan of New York has already introduced his own bill, which would make it a criminal offense for anyone to publish classified material or the names of agents still on active duty. In contrast, the Administration-backed

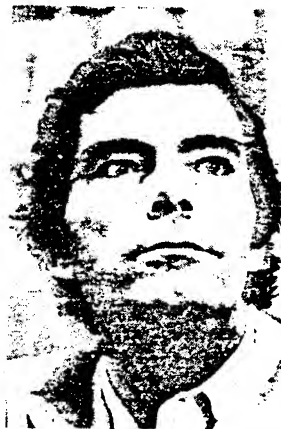
charter would confine the criminal offense to CIA officers or former officers, exempting third parties such as journalists.

A prime example of what concerns Moynihan and the Government is Philip Agee, who since quitting as a CIA officer in 1969 has made a career out of attacking the agency. Agee, who now lives in Hamburg, West Germany, has helped others publish lists of purported CIA agents. Only a month after a Greek newspaper in 1975 picked up the name of Richard Welch, CIA station chief in Greece, from one of these lists, he was assassinated.

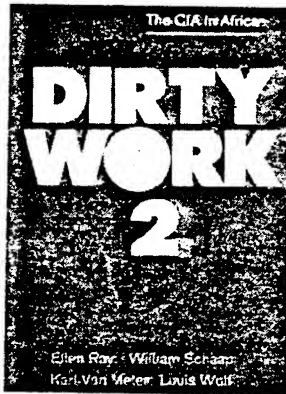
Last week Government lawyers went to court to stop publication of *Dirty Work 2*,\* concerning CIA activities in Africa, to which Agee contributed two essays. One argued that the CIA has been impeding African independence; the other attacked covert activities. The book lists names and addresses of some 700 alleged CIA undercover employees supposedly stationed in Africa. Angry

Government officials maintain that many of those listed are diplomats who have nothing to do with the CIA, but whose lives may now be in jeopardy because they have now become targets for terrorists. To their astonishment, the Government lawyers learned at the hearing that the book was already published. Since mid-January, about 3,000 copies have been on sale across the country.

\* Lyle Stuart Inc., \$20. The original *Dirty Work*, published in 1978, purported to name CIA operatives in Western Europe.



Philip Agee and the book that the CIA sought to block



ARTICLE APPEARED  
ON PAGE 10HUMAN EVENTS  
16 February 1980

# Intelligence Agents Should Be Protected

By M. STANTON EVANS

*(For the past several years, a campaign has been under way to expose the identities of Central Intelligence Agency operatives overseas. Congress is currently considering a measure to curtail such practices. Following is testimony in support of this proposal, offered by the author to the House Intelligence Subcommittee on Legislation, January 30.)*

My name is M. Stanton Evans. I am a professional journalist and commentator, maintaining offices at 600 Pennsylvania Ave., S.E., Washington, D.C.

I currently write a syndicated newspaper column for the Los Angeles Times Syndicate, and for the past nine years did a twice-a-week radio commentary for the CBS Radio Network. From 1960 through 1974, I was the editor of the *Indianapolis News*, a daily newspaper published in Indianapolis, Ind.

I appreciate the invitation to appear before your committee today to offer testimony on HR 5615, the Intelligence Identities Protection Act. While I am hardly an expert on the complex matters under discussion, I feel strongly that the principle embodied in this bill is sound, and that passage of legislation protecting our intelligence officers from exposure, harassment and possible death is urgently required.

That a systematic campaign is under way to expose case officers of the Central Intelligence Agency and to name others allegedly working for the CIA is well known to the members of this committee. Also well known is the fact that there have been instances in which individuals thus exposed have subsequently been murdered.

It is my belief that this campaign of exposure and denunciation must be opposed, to safeguard the intelligence officers in question, to protect individuals with whom they may be working in other countries, and to defend the national security of the United States. I find no inconsistency between these objectives and traditional safeguards for freedom of the press.

As I see it, the threshold question in this debate is: Whose side is one on? I mean this quite literally. The attack on our intelligence agencies and the attempt to expose their operatives is based on the premise that the intelligence services of the United States are enemies to be relentlessly combatted.

One need only sample some of the literature on this question to grasp the viewpoint of those engaged in this campaign. In one such publication, for example, case officers of the CIA are referred to as "latent criminals" who are engaged in "atrocities" and who should be encouraged to redeem themselves by returning "to the human race" (*Counterspy*, December 1978). No similar epithets are aimed at the Soviet KGB or the Cuban DGI, nor are these Communist espionage and intelligence networks targeted for similar exposure.

Such attitudes are understandable in the case of explicit enemies of the United States such as East Germany—whence came the exposure of AID official Dan Mitrione, falsely identified as a CIA agent, and subsequently murdered by the Tupamaros who used the exposure as justification of their action. They are less comprehensible coming from people who profess devotion to the free institutions of the West in general, and of the United States in particular.

To the degree that it is merely confused, the recent campaign against the CIA had its origin in the furor over reported excesses by the agency, at a time when we were being assured the Cold War was over and done with. Recent events, I should think, have served to correct that mistaken perspective, and to demonstrate that we need to insure that our intelligence operatives can function effectively, and when possible safely, overseas.

The Soviet invasion of Afghanistan and other recent actions by the Communists have demonstrated all too clearly that the Cold War is by no means over—that it is, if anything, intensifying, and that the principal enemy confronting the American people is the apparatus of international communism.

By the same token, the crisis in Iran has demonstrated that our intelligence agencies are, or should be, an essential component of our defenses. The point has effectively been made, indeed, by a report of this committee. Most observers are now willing to concede, I think, that the crippling of our intelligence agencies severely limited our ability to monitor and forecast events in that troubled nation.

In addition, the seizure of American hostages at our embassy in Teheran and the charges lodged against them make it all too plain that our personnel abroad, particularly those allegedly connected with intelligence, are targeted for hostile action by our adversaries.

From all of which I think it fair to conclude that systematic efforts to secure and publicize the names of our intelligence operatives overseas is fully comparable to publishing military information useful to the enemy. I therefore believe it is not only the right, but the imperative duty, of the Congress to impose sanctions against such disclosure.

As for the particulars of this bill, I believe the distinction drawn between those who have lawful access to classified information and those without such access is proper, and constitutes a reasonable safeguard for the rights of the press. Likewise, the fact that the government must prove intent to impede or impair foreign intelligence activities of the United States in the latter instance is a sensible precaution.

From the standpoint of the press, also, the fact that the bill does not authorize prior restraint, but imposes responsibility for willfully harmful disclosure following publication, is an important, and welcome, distinction. In this respect, I find HR 5615 preferable to HR 3762, which seeks to attain the same general objectives.

On the other hand, as I read it, HR 3762 would also authorize protection for FBI operatives engaged in counterterrorism and counterintelligence activities. Since the hazards confronted by these officials are also quite real, I should think it desirable that protection against unauthorized disclosure of their identities be afforded to them as well.



MINNESOTA DAILY  
30 January 1980

# CIA watch

One beneficiary of the recent chill in U.S.-Soviet relations is the Central Intelligence Agency. Events in Iran and Afghanistan threaten congressional efforts to enact a suitable charter for the intelligence agency and have led to demands that the CIA be unfettered to combat the Soviet peril. The Carter administration wants to make it easier for the CIA to engage in covert activities abroad. And though it has not abandoned its support of a CIA charter, the administration has sought to dilute previous reform legislation.

One key issue is the extent of congressional oversight. A 1974 law requires that the president advise eight congressional committees of its plans for clandestine activities. The law also forbids these operations unless they are specifically approved by the president. Administration and CIA officials favor a plan to limit disclosure of covert activities to just two congressional committees and require presidential approval only for those operations judged to carry high political risk.

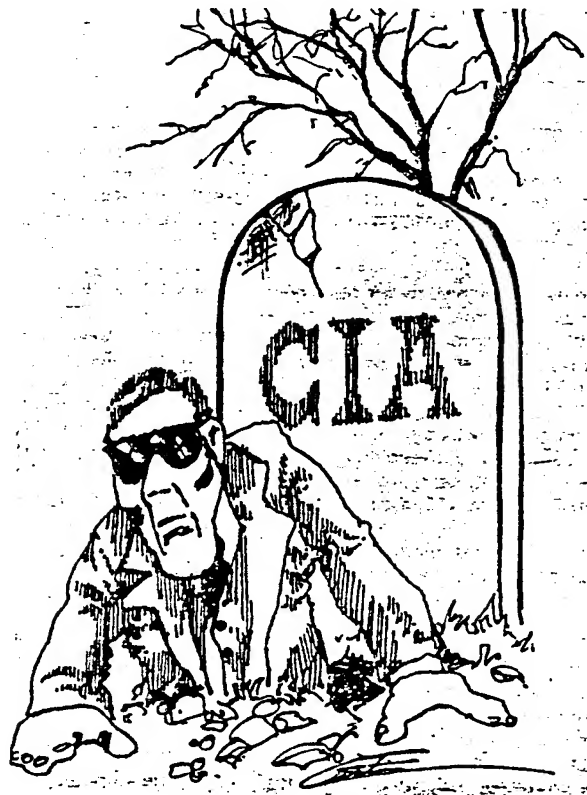
Old CIA hands complain that the agency has been emasculated. Leaks, congressional investigations and newspaper exposure, they claim, have made it impossible for the United States to engage in clandestine operations abroad. But cutting the congressional watchdog role to two committees increases the possibility that legislators would soon become part of the CIA system. As in the past, Congress would tend to ask few questions and the American people would have no

idea what the agency might do in their name.

Even more dangerous would be a law permitting some covert activities without presidential authorization. This would encourage a return to the days when an administration could use the CIA as a private commando corps and deny responsibility for its deeds. The history of covert U.S. actions—including Iran, Chile and Cuba—requires that the president be held accountable for any foreign adventures. In addition, there must be written documentation of covert actions, delineating responsibility all the way up to the president.

Covert actions used to be the main activity of the CIA. Early in his term, Carter attempted to refocus intelligence collection toward better analysis of international political and economic developments. By stressing analysis, the Carter administration has made strides toward improving our judgment of events requiring an American response. In this light, the president's recent efforts to encourage a return to covert actions are discouraging.

Few question the need for the United States to engage in some covert intelligence activity—excluding torture, assassinations, the illegal surveillance of Americans abroad and the "destabilization" of foreign governments. But legitimate covert actions should be done sparingly and with proper executive and congressional supervision. The president should reconsider any attempt to ease restrictions on clandestine activities and turn his attention toward a CIA charter that might define the limits and means of accountability.



ARTICLE APPEARED  
ON PAGE \_\_\_\_\_MINNEAPOLIS TRIBUNE  
8 February 1980

## Detours on the path to CIA reforms

The CIA needs a charter enacted by Congress and approved by the president to replace the welter of laws and executive orders that now govern the agency. Nearly everyone agrees that the need exists: senators, representatives, the intelligence agency's critics, its defenders, the president and, not least, CIA director Stansfield Turner, who visited Minneapolis this week.

But opinions collide on what the charter should say. The American Civil Liberties Union flatly opposes "covert actions" like the CIA's past operations against foreign governments. The Heritage Foundation laments "obsessive concern with juridical abstractions" because, it says, civil liberties are secondary to national security. Turner and the administration are pursuing a middle road which, except for a few alarming detours, would give the CIA appropriate authority for intelligence-gathering with reasonable assurance against repetition of past abuses.

That assurance would come largely through congressional oversight by House and Senate intelligence committees, to which the CIA would report all covert actions. Those committees get such reports now. But so do six other committees, under provisions of a 1974 law. That proliferation of sensitive information increases the likelihood of its disclosure. According to Turner, the resulting inhibitions prevent the CIA from doing its job well. He argues, reasonably, that the intelligence committees' rotating memberships introduce varied congressional viewpoints and that members can relate essential information to other committees on which

they sit. The argument is persuasive. Oversight should be restricted to the two committees.

A far less persuasive argument concerns exceptions to prohibitions that a new CIA charter would define. Turner supports the idea of explicit limitations on CIA authority. But he wants a clause permitting the CIA director to make exceptions, which he says would provide flexibility with accountability. An example is the CIA's recruiting of scholars, clergy and journalists to moonlight on the agency's behalf. That practice has stopped — for the most part. There may be extraordinary situations in which such exceptions should be permitted under a new CIA charter, as apparently some are made now. But Turner seems to believe that private citizens should routinely compare notes with the CIA and that the extraordinary act is failure to do so.

If scholars, clergy, journalists and others who work abroad decline to be quasi-agents, are they really showing "unpatriotism," as Turner charged? Are they "cynical," as he also said, and "disloyal" and "unfriendly"? Does intelligence in its broader sense — public as well as governmental knowledge of the world — really benefit when people in other countries suspect that the researcher or reporter or missionary to whom they are talking may be a conduit to the CIA? We think not. The disturbing aspect of the administration's soon-to-be-made CIA charter proposals is not the prospect of limitations on the agency. It is the evidence that the intelligence director wants the power to make exceptions routine.

Approved For Release 2009/06/05 : CIA-RDP05T00644R000501350002-9

Miscellaneous

Approved For Release 2009/06/05 : CIA-RDP05T00644R000501350002-9

THE BURLINGTON TIMES NEWS (N. C. )  
6 February 1980

## The Public Forum

### The CIA replies

Editor:

I have just seen your editorial of January 7, "The CIA: Why Are We So Surprised?"

Providing your readers with editorial judgments which they trust and believe is an awesome responsibility. To provide such judgments based on false information without any attempt to verify your facts is faulty journalism at best.

You reported that "no one knows how much it costs to operate this intelligence agency," and that "it is likely that this agency never has to justify its budget requests." You surmised that CIA operates "behind a cloak without public, or even governmental, scrutiny. someone needs to force a look at this agency and determine just what it is doing and how much it is costing to do whatever is being done."

Where have you been?

In January of 1978 President Carter signed Executive Order 12036, "United States Intelligence Activities" which spells out in great detail what the CIA can and cannot do. Nearly three years ago the President created the Intelligence Oversight Board (IOB) whose only mission is to look over and into the activities of this country's intelligence apparatus. Both Houses

of Congress have created committees for precisely the same purpose—The Senate Select Committee on Intelligence (May 19, 1976) and the House Permanent Select Committee on Intelligence (July 24, 1977). Both committees are now working on Charter Legislation to provide laws to direct and limit our intelligence activities.

The CIA is subject to the same rigorous budget process as other government organizations. Its budget is carefully scrutinized by the Office of Management and Budget and by the President before it is forwarded to Congress for additional in-depth inspection by four Committees of Congress. Programs are challenged and justified at every turn, as they should be.

I urge you next time to check the facts before you launch into an editorial trade. My office is here to help you in that regard. Your readers deserve the whole truth.

Those in the CIA who work for the citizens of the United States in a thankless and often dangerous profession are deeply hurt by your uninformed allegations.

HERBERT E. HETU  
Director of Public Affairs  
Central Intelligence Agency  
Washington

BURLINGTON TIMES-NEWS (N. C )  
7 January 1980

# The CIA

## Why are we so surprised?

The United States Central Intelligence Agency has been under fire in recent years, and not without good reason.

The activities of this clandestine organization have been hidden from the public and from the people in government who are supposed to monitor its operations, and some of its activities have created problems which have been difficult for this nation.

Now, with recent events around the world being vividly in front of our eyes, questions must be raised about the effectiveness of this group of secret operatives.

Why did this nation not know of the difficulties that were taking place prior to the overthrow of the Shah of Iran? The CIA should have known what was about to happen if it had been doing its secret job of gathering information about the internal affairs of other nations.

Yet, the action there came as a surprise.

And what about the sudden attack by the Soviet Union on the nation of Afghanistan more recently?

That certainly came as a surprise to the folks in Washington. Or if they knew about it, they kept it a secret for reasons unknown.

Had the United States known in advance what the Soviets were planning, pressure could have been brought to bear in advance of the action. But after it has taken place, there is little this country can do but say it is a dastardly deed.

There must have been a lot of activity in the Soviet Union prior to an invasion of such massive proportions, and such activity certainly would have come to the attention of

an intelligence operation of the magnitude and efficiency as the one we have been led to believe is conducted by the United States.

But the invasion was a surprise to Jimmy Carter and the rest of the folks in Washington.

These situations lead one to wonder just where the CIA has been.

Has its operations become so muddled in bureaucracy that it no longer operates with any degree of efficiency? Is it tuned in to what is happening in the world?

No one knows how much it costs to operate this intelligence agency. That's a dark secret, just like everything else in the CIA. And because of the secrecy, it is likely that this agency never has to justify its budget requests.

The CIA has become a big and powerful organization, so big and powerful that it has become almost an independent agency, operating behind a cloak without public, or even governmental, scrutiny. When someone pries, the CIA can go on the defensive by saying that its activities must be kept secret in order for it to perform its work.

And as long as this goes on, the agency can become a world apart from the other arms of the government.

Someone, somewhere needs to force a look at this agency and determine just what it is doing and how much it is costing to do whatever is being done.

But with the recent surprises on the international scene, it would be interesting first to find out just what it is that the CIA has been doing.

NEWSWEEK  
18 February 1980

# PERISCOPE

## Signs of a 'Shaba III' Raid

Zairian authorities sent urgent messages last week to French and Belgian intelligence agencies and the CIA to expect "Shaba III"— shorthand for another rebel attack against Zaïre. Cuban-trained rebels attacked the mineral-rich Shaba region of Zaïre in 1977 and 1978, inflicting heavy casualties in both raids. Zairian agents say they have spotted a guerrilla camp occupied by 800 Cubans and 2,800 Zairian rebels in the Congo, a Marxist country across the Congo River from Zaïre. The camp is situated near the point where the Ubangi River flows into the Congo, about 70 miles north of Kinshasa, Zaïre's capital. Zairian intelligence suspects that Shaba III will be aimed not at the province itself but at Kinshasa.

\* \* \* \*

## The CIA's 'Alert' Memos

The CIA, stung by charges that it failed to foresee major problems in Iran and Afghanistan, now seems to be going overboard to make sure there are no more lapses. In recent weeks, the White House has received numerous pessimistic "alert" memos from CIA headquarters in Langley, Va. "There are few crises lately they haven't predicted one way or the other," says one Administration official, adding wryly that with so many predictions, "some of them are bound to be right." A CIA source replies that the Carterites criticizing the agency "are doing precisely what they accuse us of doing—covering themselves."

ARTICLE APPEARED  
ON PAGE 26

U.S. NEWS & WORLD REPORT  
18 February 1980

## For Today's FBI, a Chief Who Doesn't Fit the Hoover Mold

Neil Welch, agent in charge of the New York office, is describing changes in the FBI: "An aggressive lawyer took over a floundering, inept, corrupt, miserable bureaucracy and transformed it into a modern, hard-fighting, effective law-enforcement organization."

Though the description is close to being apt, Welch is not talking about William Webster, who has transformed the FBI in the last two years. He is talking about the 29-year-old J. Edgar Hoover when he began his career as director of the bureau in 1924.

Many agents retain fond memories of Hoover, despite the questionable practices that crept into bureau operations in the latter part of his 48-year reign—illegal burglaries, unauthorized wiretaps and character assassinations. Ben H. Cooke, agent in charge in Atlanta, has "a great deal of love and respect" for his former boss. But he adds: "He stayed too long. If he'd left five or 10 years before he died, he would have been hailed as one of the greatest heroes of American history."

On balance, the differences between Webster and Hoover far outweigh the similarities. For Hoover, a confirmed bachelor, the FBI was his whole life—so much so that critics accused him of surrounding himself with sycophants and turning the bureau into his own personality cult. An often intimidating figure with a hair-trigger temper, he was all but unapproachable. He once scribbled a message: "Watch the borders!" Underlings decided he meant the Canadian borders and the word went out. Later, it was learned that he was referring to the borders on his stationery.

Such misunderstandings could never happen with the present director, FBI insiders say. Webster likes straight talk and is so

accessible that aides have been known to telephone him at home at 1:30 a.m. "There's no guessing. There's no reading between the lines," says James O. Ingram, agent in charge of the Chicago office.

Francis M. Mullen, Jr., one of Webster's top aides, recalls the time he used a traditional FBI euphemism, referring to "a highly sensitive source whose testimony cannot be used in court." Webster fixed him with a stare and said evenly: "Are you trying to tell me you used a bug? If you are, say so!"

To help manage the bureau, he has a trio of veteran agents—Homer Boynton, Jr., administration; Lee Colwell, investigations, and Kenneth Joseph, police relations.

Webster takes his job very seriously, but the FBI is not the only thing in his life. He is married and the father of three children. He came to the bureau two years ago at age 53, with a solid career behind him as a St. Louis lawyer who left a \$100,000-a-year law practice in 1970 to become a federal judge.

To unwind, Webster takes to the tennis court. He finds tennis a good way to keep in touch with Washington. Among recent partners: Stansfield Turner, director of the Central Intelligence Agency; Senate Judiciary Committee Chairman Edward Kennedy (D-Mass.), and Carl Rowan, a syndicated columnist who has been critical of the FBI in the past.

Webster is limited by law to a single 10-year term. This reduces any temptation to use the FBI's power to cement himself in office. And it makes it less likely that he will duplicate the failing widely attributed to J. Edgar Hoover: Not knowing when to quit.



ARTICLE APPEARED  
ON PAGE C-2

WASHINGTON STAR  
10 FEBRUARY 1980

## BETTY BEALE

...  
Bugs on the Sly — You remember those pictures last month of supposedly U.S. bugs the Soviets uncovered in their new embassy? Well, House Minority Leader John Rhodes said he got turned off CIA Director Stansfield Turner when Turner came to his office to lobby in favor of a bill that would have required a special court order before the CIA could bug the Soviet Embassy! . . . The Russians can get a good chuckle out of that one.

EXCERPTED

NEW YORK NEWS  
6 February 1980

# CIA turncoat marking U.S. diplomats for death

By GREGORY ROSE  
INNOCENT American diplomats in Africa, who have no connection to the CIA, are in danger for their lives because they have been fingered as secret agents by CIA defector Philip Agee, U.S. officials said today.

Intelligence officials claim that Agee's latest book — which names purported CIA officers — has falsely identified diplomats engaged in everyday conduct of U.S. foreign relations as covert operatives.

"This kind of thing can ruin an innocent man's career," one official said.

"It creates groundless suspicions in the minds of the host country government which make it difficult for diplomats to carry out even the most routine diplomatic business," he continued.

"Even worse, it makes innocent men and women and their families the targets of every anti-CIA lunatic with a gun.

"Agee doesn't just publish names, he gives addresses.

"It's an invitation to murder."

The ex-CIA agent's book, "Dirty Work II: The CIA in Africa," is partly a collection of articles on CIA activities in Africa.

But over half the book — the half which worries U.S. officials — gives names and thumbnail career sketches of government employees Agee claims work for the CIA.

CIA officials refuse to confirm or deny the alleged CIA ties of anyone named in Agee's book.



PHILIP AGEE  
*Drawing fire.*

**Page Denied**

ARTICLE APPEARED  
ON PAGE D-12NEW YORK TIMES  
13 FEBRUARY 1980

# Soviet Oil Expert Warns Of Reliance on Old Fields

By CRAIG R. WHITNEY

Special to The New York Times

MOSCOW, Feb. 12—A leading Soviet petroleum expert predicts that the Soviet Union's oil production, most of which comes from western Siberia, will soon begin to decline unless the system of drilling and exploiting deposits is changed.

The analysis, by Aleksandr P. Krylov of the Soviet Academy of Sciences, supports similar predictions made over the last two years by Central Intelligence Agency analysts in Washington. Mr. Krylov's report was published last month in *Edko*, an economics magazine.

He says that, if present Soviet exploitation methods continue, "production of oil in our country will reach a maximum in a relatively short time, after which it will start to fall."

Soviet oil production last year was 536 million metric tons, up only 2.4 percent from 1978.

Mr. Krylov argues that drillers should move their rigs out of existing fields and look for new ones elsewhere. The 75-year-old scientist says they do not because the Soviet oil industry is not organized that way. Instead, he says, drilling rigs are used to send more and more wells down in existing fields, using injections of water to keep the oil flowing as it is depleted.

His article was written before President Carter halted deliveries of American oil technology to the Russians in retaliation for their military intervention in Afghanistan.

The biggest oil deal affected by the freeze is a \$144 million contract with Dresser Industries of Dallas for technology and plans to produce high-quality drill bits in the Soviet Union. Only about one-third of the equipment was delivered or on its way by the time the President imposed the freeze last month, say Dresser officials here.

But Mr. Krylov's article suggests that American technology would merely help the Russians exhaust their reserves faster because, he says, they are going about it in the wrong way.

At present the Russians lead the world in the amount of petroleum produced, and they export about 3.1 million barrels a day. The C.I.A. predicts that, as Soviet production falls off in the next year or two, the Soviet Union will become a net importer of oil.

Mr. Krylov and the C.I.A. seem to agree that there is no way the Soviet Union can avert a falloff in domestic output unless it changes its methods.

Mr. Krylov says the Soviet oil producers, trying to fulfill their plan assignments, get the drillers to send down more and more drill shafts into existing deposits.

## How Drilling Targets Are Set

The Soviet central planners set drilling targets only in terms of thousands of meters to be drilled, so theoretically a dry hole is as good as a gusher. Mr. Krylov says the drilling units should be divorced from production so they can go seek new oil reserves.

The problem is worst in the fields of western Siberia, which account for more than half of Soviet oil production.

ARTICLE APPEARED  
ON PAGE 1THE WALL STREET JOURNAL  
13 February 1980

## A Fresh Face

### Bush Shakes Up GOP By Winning Support Throughout the Party

But His Backing Isn't Deep,  
His Stands Lack Detail;  
Rivals Sharpen Attacks

### CIA Stint Becomes an Asset

By ALBERT R. HUNT

Staff Reporter of THE WALL STREET JOURNAL

PETERBOROUGH, N.H.—Mrs. Lorraine Prestipino, a secretary from nearby Milford, supported Ronald Reagan four years ago, but last week she sported a George Bush button as one of more than 1,000 enthusiasts at a Bush rally here.

"I still like Ronald Reagan, but I'm a little tired of him," she explains. "I like the fact George Bush is a fresh face."

Phil Dechert, a 26-year-old accountant from Hancock, cites issues in telling why he showed up to see this rising Republican: "I really like his stand on strengthening the CIA." Another Hancock resident, Peter Grant, a retired college administrator, is attracted to the pragmatism he sees in the candidate. "George Bush is a moderate," he says. "He figures out problems as they arrive rather than stick to some ideological label."

Hugh Gregg, the irrepressible Bush campaign chief in New Hampshire, says this eclectic appeal is based on people's sense of feeling good about him: "George's sincerity is 90% of it; sincerity oozes out of the guy."

Whatever the case, George Bush has dominated the early stages of the 1980 Republican presidential race. A year ago he was a bland long shot, noted chiefly for his resume: Phi Beta Kappa Yale graduate, Texas oil millionaire, a former Congressman, United Nations ambassador, chairman of the Republican National Committee, Envoy to China and director of the CIA. But with his upset victory in last month's Iowa caucuses, he now is on the cover of national magazines, accompanied by the television network entourages, soaring in the polls and subject to increasing public curiosity. More and more Americans are asking: Who is George Bush?



Some answers are easy. He is a thoroughly pleasant and decent man with an enthusiastic devotion to the political process and the Republican Party. Ideologically, he is a traditional mainstream Republican: He favors restraining government growth, cutting taxes and bolstering defense spending to counter the Soviet Union.

#### The Bush Formula

Still, his positions are short on detail. In economics, his spending and tax priorities remain fuzzy. In foreign policy, he hasn't made it at all clear how he envisions using American military power to advance economic and political interests. And while he possesses a first-rate mind, even friends acknowledge that he isn't an especially creative thinker.

In short, George Bush—the son of a patriotic Connecticut Senator—resembles a more urbane version of Gerald Ford.

That could be an attractive formula for a 1980 candidacy. "George makes people feel comfortable," says Robert Teeter, his pollster. "They like a new face but also like the experience and credentials behind him." In a clear reference to Jimmy Carter's original lack of experience as well as Ronald Reagan's unfamiliarity with Washington, the Bush campaign slogan is "A President we won't have to train."

Mr. Bush also avoids arousing philosophical and personal animosities that plague some other GOP aspirants. "George doesn't press hot buttons," says his press secretary, Peter Teeley. "Conservatives, moderates and liberals in the party all can feel comfortable with him."

Mr. Bush has exploited these assets to a point where he is rated roughly even with Ronald Reagan in the critical Feb. 28 primary here. Polls show him way ahead of all his rivals in the Massachusetts primary on March 4. And his excellent campaign organization is developing growing support elsewhere. If he wins the New England tests, he will become the front-runner for the GOP presidential nomination.

But things could go the other way. Poorer-than-expected New England showings would be a serious setback. And the Bush support is much wider than it is deep.

It is uncertain how the voters' sense of good feeling about Mr. Bush will survive harder scrutiny. He won't be getting a free ride from his opponents any longer. Ronald Reagan is charging that Mr. Bush is too liberal on issues ranging from his backing for the Equal Rights Amendment to his opposition to amendments to balance the budget and to prohibit abortions.

#### Shocked Rivals

Sen. Howard Baker is expressing shock over Mr. Bush's comments in a recent interview that left the impression he thought a nuclear war was winnable. Rep. John Anderson complains that the Bush political "patron" was Richard Nixon. And all his rivals are delighted with the resurrection of stories about a secret White-House-funneled campaign contribution to Mr. Bush's unsuccessful Texas Senate race 10 years ago.

These attacks will sharpen in coming debates among the GOP presidential rivals. "I doubt George will wear well," predicts one Republican politician.

Yet the 55-year-old native New Englander already has disproved the early notion that he was too lazy for a grueling campaign. When they were rival political party chiefs, Democrat Robert Strauss used to boast: "I've done half a day's work before he gets off the tennis court." But Mr. Bush spent over 300 days campaigning in 1979 and proved himself a tireless and zestful, if at times rambling, stump performer.

The Bush performance is more notable than the message, however. In his first Senate race, in 1964, George Bush ran as a rigid Goldwater right-winger, but ever since he has taken a moderate-conservative stance. "George is pretty conservative, but he has good social instincts," says his friend and Yale classmate Congressman Thomas Ashley, an Ohio Democrat.

Mr. Bush puts his campaign goal this way: "What I would like to project is less ideological perfection or purity and more a seasoned and reasonable approach."

And Mr. Bush becomes a national cheerleader when he starts talking of his "optimism" about the country: "I believe we can solve any problem ... if we have the will to chart a course and stay with it." Vietnam and Watergate, he declares, were "anomalies."

The other night, in Plymouth, N.H., he unleashed his back-to-basics pitch. A schoolteacher said most people vote against politicians and wondered why Mr. Bush's promised "miracles" wouldn't fade away like the campaign promises of others. "They aren't miracles ... they are fundamentals," he shot back. "I'm not so cynical I go into the polls always to vote against somebody. Come on, cheer up a little bit ... oh, come on!"

CONTINUED

He never lets voters forget his government experience, particularly with the CIA. A year ago many Bush advisers feared the intelligence job would be a political liability, but the recent focus on foreign affairs reversed that assessment.

In all his earlier incarnations, he developed a devoted following. He left the House in 1970, but 29 House members have endorsed his candidacy. Of the three outsiders who have run the CIA—James Schlesinger and Stansfield Turner are the other two—only Mr. Bush won the respect and trust of most of the intelligence professionals.

"George has a very impressive ability to enlist loyalty," notes Rep. Barber Conable, a New York Republican who served on the House Ways and Means Committee with Mr. Bush. Mr. Conable now heads the Bush campaign's policy operations.

#### Strong Loyalties

But loyalties to the tall, handsome and congenial Mr. Bush are based more on personal feelings than on substantive achievements. As a member of the minority in the House, he was unable to do much legislating; in the UN and China jobs, he followed instructions; his tenure as GOP party chief is remembered mainly for his unswerving loyalty to Richard Nixon during Watergate. In his one year at the CIA, 1976, he did lift the agency's morale during tough times, but he didn't leave much of an imprint on policy. (Rival presidential hopeful John Connally once told an interviewer that Mr. Bush "set on his butt in those appointed jobs." Mr. Connally is one of the very few politicians that "nice guy" George Bush detests.)

"George has the capacity to take good advice, but he isn't much of an original thinker," says a former associate. "When he's first confronted with a problem, he often reacts in a terribly naive way." Moreover, he has indicated a lack of political toughness, especially in losing his second Senate attempt to the colorless Lloyd Bentsen in 1970. "George Bush has absolutely no instinct for the jugular," notes one Bentsen adviser.

Even his good friend Barber Conable admits: "Until recently I had questions about George's attention span and seriousness of purpose." But Mr. Conable says his friend has grown enormously over the past year: "I was with him for a few days at the end of December, and he was absolutely purposeful and disciplined. His candidacy has concentrated his mind remarkably and given him a new dimension."

It also has made a cautious politician even more careful. Since his Iowa victory, he twice has rejected drafts of a major foreign-policy address and now probably won't deliver it until after the New Hampshire primary.

#### Distrust of U.S.S.R.

Whatever the details, the speech surely will reflect his earnest belief that the Carter foreign policy has been weak and erratic. Although he still talks about the desirability of reaching real arms-reduction agreements with the Russians, associates say his stint at the CIA was a "searing" experience, leaving him with a deep distrust of Moscow.

Nevertheless, in the foreign-policy positions Mr. Bush has taken so far, uncertainties abound. During the early days of the Iranian crisis, he called for a blockade of the Persian Gulf. But the other day he admitted, "I'm backing off that." When asked about the U.S. commitment to Pakistan—would a Soviet invasion of that country mean war?—he lamely replies, "I don't want to get bogged down answering hypothetical questions."

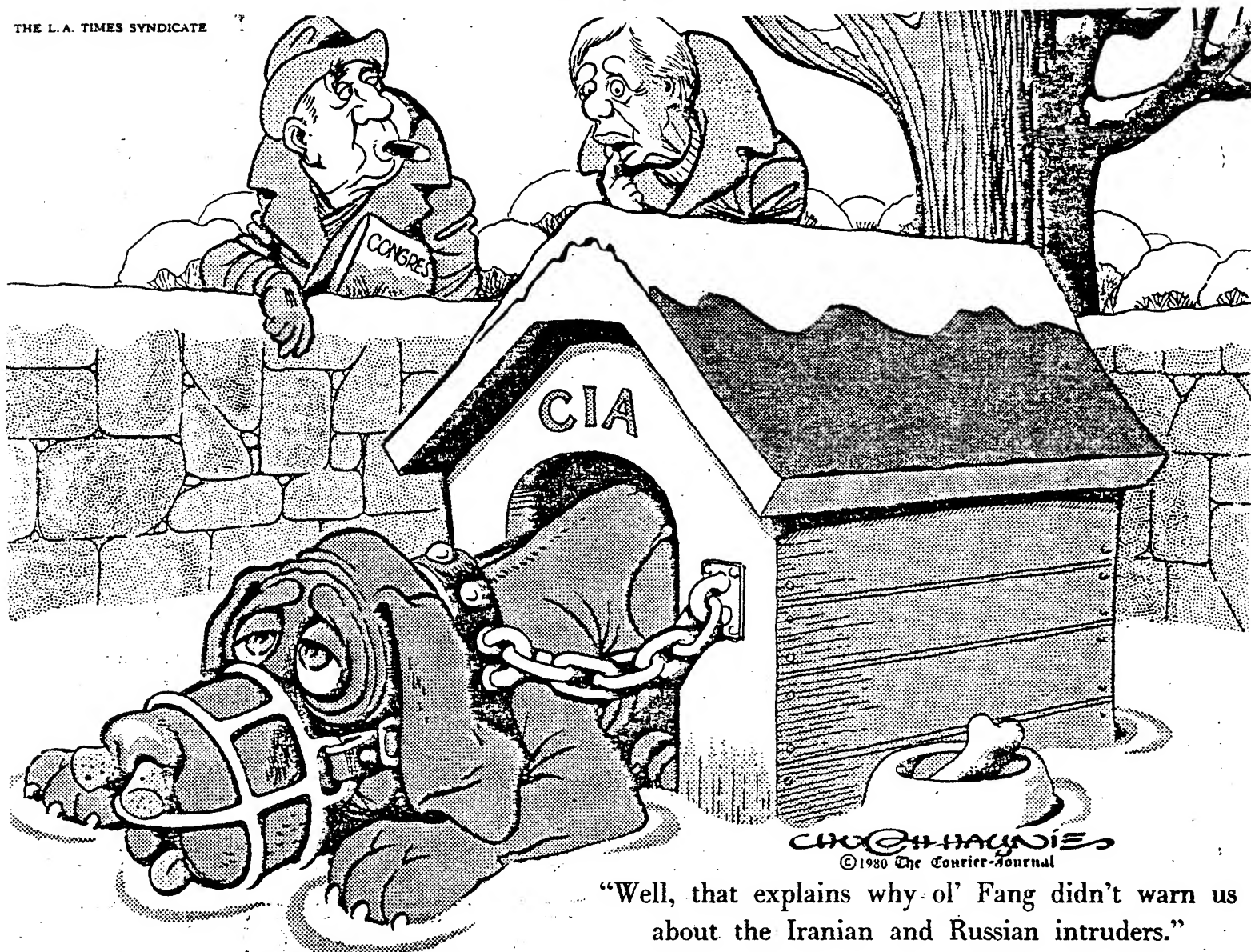
Mr. Bush also is uncomfortable with domestic issues, but he has taken some clear-cut stands on economic questions. He rails against "Keynesian" economists. And he espouses "supply-oriented tax cuts," including more generous depreciation benefits for business and special tax breaks for certain savings accounts. But he has little use for the so-called Laffer-curve theory supporting huge tax cuts; he was one of the few major Republicans who never embraced the Kemp-Roth proposal for deep tax cuts.

Last fall he called for a balanced budget, a \$20 billion tax cut and higher defense spending. Now he acknowledges that combination is outdated and promises to come up with new economic particulars soon—again, probably after the New Hampshire primary.

Although Mr. Bush's aides acknowledge he will have to harden his positions on domestic issues in the months ahead, they contend these issues won't give him serious political problems. "People don't really vote on issues; they vote on people," Mr. Teeter says. "They are looking for certain qualities in a presidential candidate, and they are liking what they see in George."

NORTHERN VIRGINIA SUN  
8 February 1980

THE L.A. TIMES SYNDICATE



"Well, that explains why ol' Fang didn't warn us  
about the Iranian and Russian intruders."